

State of California
The Resources Agency
DEPARTMENT OF FISH AND GAME
1416 Ninth Street
Sacramento, Ca 95814

Inland Fisheries - Informational Leaflet No. 30¹

**Regulations Governing the Take, Possession, Captive Breeding and Sale
of Reptiles and Amphibians**

Reptiles and amphibians in the State are important elements of our natural wildlife heritage. They also are subjects of varied recreational and commercial uses, including the take of bullfrogs for food, scientific study, bait and frog jumping contests, the capture of snakes and lizards for pet/hobby purposes, turtles for both food and pet/hobby purposes, and many others.

As a result of habitat losses and perhaps other factors, many of our native reptile and amphibian species are now threatened, endangered, or so rare that they are at risk of reaching threatened or endangered status. Substantial regulation of use is therefore important to ensure adequate conservation.

This Informational Leaflet presents a summary of Fish and Game Code Sections and Sections of Title 14 of the California Code of Regulations (CCR) which govern the commercial and recreational take, possession, captive breeding and sale of reptiles and amphibians in California. Statutes (Fish and Game Code Sections) and Regulations (Sections of Title 14, CCR) are presented verbatim in the Appendix of this leaflet.

Subject matter in the leaflet is presented under the following headings:

Location of Department of Fish and Game Offices.....	2
Protected or Restricted Species.....	3
Recreational Take of Amphibians and Reptiles and their use as Bait.....	3
Frog Jumping Contests.....	4
Commercial Take of Reptiles and Amphibians.....	5
Captive Breeding of Reptiles and Amphibians	5
Aquaculture	6
Importation	6
Rattlesnakes.....	6
Desert Tortoises.....	7
Appendix (Verbatim Listing of Laws and Regulations).....	8

¹Prepared by Fisheries Programs Branch, February 2001, revised September 2003.

Fish and Game Offices (and Counties Represented)

NORTHERN CALIFORNIA & NORTH COAST REGION		SACRAMENTO VALLEY & CENTRAL SIERRA REGION		CENTRAL COAST REGION	
601 Locust Street Redding, CA 96001 (530) 225-2300		1701 Nimbus Road Rancho Cordova, CA 95670 (916) 358-2900		7329 Silverado Road Napa, CA 94558 (707) 944-5500	
Del Norte Humboldt Lassen Modoc	Shasta Siskiyou Tehama Trinity	Alpine Amador Butte Calaveras	Plumas Sacramento San Joaquin Sierra	Alameda Contra Costa Lake	San Benito San Francisco San Luis Obispo
SAN JOAQUIN VALLEY & SOUTHERN SIERRA REGION		Colusa El Dorado Glenn Nevada Placer	Solano Sutter Yolo Yuba	Marin Mendocino Monterey Napa	San Mateo Santa Clara Santa Cruz Sonoma
1234 East Shaw Avenue Fresno, CA 93710 (559) 243-4005					
Fresno Kern Kings Madera Mariposa	Merced Stanislaus Tulare Tuolumne	SOUTH COAST REGION		EASTERN SIERRA & INLAND DESERTS REGION	
		4949 View Ridge Ave San Diego, CA 92123 (858) 467-4201		4775 Bird Farm Road Chino Hills, CA 91709 (909) 597-9823	
LICENSE AND REVENUE BRANCH		Los Angeles Orange San Diego	Santa Barbara Ventura	Imperial Inyo Mono	Riverside San Bernardino
3211 S Street Sacramento, CA 95816 (916) 227-2271					

Protected or Restricted Species

Numerous amphibians (24 species) and reptiles (22 species) are protected because they are threatened, endangered, or rare. Protected species are listed in the Appendix of this leaflet, sections 41 and 42, Title 14, CCR. None of these species may be possessed at any time, except under special permits issued to institutions for scientific purposes. (These permits are not issued to individuals for pet/hobby purposes.) For more information on the special permits see Section 670.7 Title 14, CCR (not included in this leaflet).

Also, Section 671, Title 14, CCR, lists certain species (some of which are reptiles or amphibians) which may not be legally possessed alive without special permits, because the Commission, by designating them as “detrimental,” has determined that they pose a threat to native wildlife, the agriculture interests of the state or to the public health or safety. Permits for their possession may be issued to institutions such as zoos and universities, but they are not issued to individuals for pet/hobby purposes. For more information about these permits, see Section 671.1, Title 14, CCR (not included in this informational leaflet).

Amphibians Included on this list (see Appendix of this leaflet, Section 671) are “giant toads”, marine toads, all other large toads from Mexico and Central and South America, the tongueless toads, and African clawed frogs. Reptiles on this list include members of the crocodile family (crocodiles, caimans, alligators and gavials), snapping turtles, most non-native poisonous snakes and the reticulate gila monster.

Recreational Take of Amphibians and Reptiles and their use as Bait

General: Sport fishing regulations allow the take of amphibians and reptiles which are not protected or restricted (see Section titled “**Protected or Restricted Species**”).

A fishing license is required for everyone 16 years of age or older to take reptiles or amphibians (except for rattlesnakes, for which no license is required). Reptiles and amphibians generally may be taken all year, except that bodies of water which are closed to all fishing are also closed to the take of aquatic reptiles and amphibians. They may be taken for food or for pet/hobby purposes. They may not be bartered or sold.

Use as bait: No salamander may legally be used as bait. All native frogs are protected, therefore, the only frog which may legally be used for bait is the non-native American bullfrog.

Take of Bullfrogs: Bullfrogs may be taken all year. There is no limit on the number of bullfrogs which may be taken, but there are restrictions on the methods of take (see Appendix, Section 5.05, Title 14, CCR). Firearms may not be used to take bullfrogs (see Appendix, Fish and Game Code Section 6854).

Take of Other amphibians: A substantial proportion of California amphibians, other than bullfrogs, are protected species. The “sport fishing” take of amphibians, other than bullfrogs, which are not protected or restricted, is allowed all year in waters open to fishing. The limit is four per day (see Appendix, Section 41.5, Title 14, CCR for fishing methods and other restrictions).

Except for bullfrogs, none of the amphibians which can be legally taken are good to eat. Many of them, in fact, are poisonous. They should never be eaten, and care should be used in handling them.

Reptiles—general: The “sport fishing” take of reptiles which are not protected or prohibited is allowed all year, except (for example with turtles) in waters closed to fishing, or in certain areas where take is prohibited. The daily bag limits for reptiles for which take is allowed differs among species. Bag limits and other restrictions regarding recreational take are found in the Appendix of this leaflet, Section 42.5, Title 14, CCR.

Turtles: The daily bag limit for spiny softshell turtles is five. (Though this species is an introduced species, it is currently included in certain regulations regarding take of native species.) There is no bag limit for red-eared sliders, painted turtles, or any of the other non-native species which may be encountered. California’s only native turtle, the western pond turtle, is fully protected, and may not be taken for any purpose.

Softshell turtles are capable of delivering a painful bite, so they should be handled cautiously. Also, turtles are known to carry Salmonella bacteria, the causative agent for a serious type of food poisoning. Wash your hands after handling any turtle.

Frog Jumping Contests

Special Statutes (See Appendix of this leaflet, Fish and Game Code Sections 6880-6885) are written to allow the take of frogs for frog-jumping contests without requirements for permits or licenses. Under provisions of these statutes, frogs may be taken at any time for frog jumping contests, and there is no limit on the number which may be possessed. The allowances for take do not extend to protected or restricted species. Essentially all of the frogs used in frog jumping contests are the non-native American bullfrog.

Commercial Take of Reptiles and Amphibians

The commercial take of reptiles and amphibians is regulated to minimize the effect of commercial activities on wild native populations. The only commercial take allowed is for use by--or associated with--scientific or educational purposes. No commercial take is allowed for food or for pet/hobby purposes.

Native reptiles and amphibians may be sold to scientific or educational institutions only by owners of biological supply houses who have been issued a permit by the

Department for this purpose, pursuant to Section 651, Title 14, CCR (see Appendix).

Another permit—a Field Collection Permit— is required to take native reptiles and amphibians for sale by biological supply houses (also see Section 651).

Regulations governing the commercial take of bullfrogs are similar to those for native reptiles and amphibians, but they are currently found in a separate regulation (Section 658, Title 14, CCR).

Captive Breeding of Reptiles and Amphibians

A permit from the Department of Fish and Game is required to propagate native reptiles or amphibians. Only the following species or subspecies may be propagated: California common king snake, California subspecies of the gopher snake, and California subspecies of the rosy boa. Applications for this permit or related information may be obtained at the Department's License and Revenue Branch, 3211 "S" Street, Sacramento, CA 95816; telephone: (916) 227-1305.

Capture methods, record keeping procedures, caging requirements, restrictions on sale and reporting are strictly regulated. For detailed information on captive breeding requirements, see Appendix, Section 43, Title 14, CCR.

Also, contact the United States Fish and Wildlife Service and local City and County governments to learn of pertinent federal or local laws and/or regulations.

The restrictions on captive breeding in Section 43, Title 14, CCR do not apply to the captive breeding of non-native species. Except for restrictions prohibiting the possession of species listed in Section 671, Title 14, CCR, and laws and regulations prohibiting the release of animals to the wild, neither the Department nor the Commission regulates the captive breeding of terrestrial non-native reptiles.

The captive breeding and sale of non-native amphibians and aquatic reptiles (turtles) is aquaculture, and is governed by laws and regulations affecting this industry.

Aquaculture

Anyone who raises and sells amphibians and/or aquatic reptiles must register as an aquaculturist. The first year application fee is \$400, and there is a \$200 annual renewal fee. There is an additional \$300 annual surcharge for aquaculturists with proceeds of \$25,000 or more from the sale of aquaculture products in the prior year.

Registration applications are subject to approval by the Department of Fish and Game. Proposed new aquaculture facilities are normally inspected by the Department prior to approval. Approval is considered on a species-by-species basis for every facility.

Most of the amphibians or reptiles produced by aquaculturists in California are red-eared slider or spiny softshell turtles, or bullfrogs.

For more details about regulations governing aquaculture in California, obtain a copy of Inland Fisheries Informational Leaflet number 35: "Aquaculture in Inland Waters of California", from one of the offices listed on page 2 of this leaflet.

Importation

The importation of live aquatic plants and animals is regulated to prevent the unwanted introduction of non-native species and their diseases and parasites to the waters of the State. A special permit is required to import live amphibians and/or aquatic reptiles, except for ornamental tropical species not used for food or bait, and not introduced to the waters of the State. See Section 236, Title 14, CCR, and Inland Fisheries Informational Leaflet number 36 for detailed information about permits required for the importation of live aquatic plants and animals.

The Department may require inspections of imported aquatic animals, and importers must pay inspection fees to defray Department inspection costs.

Amphibian and reptile species regularly permitted for importation pursuant to Section 236, Title 14, CCR include red-eared slider and spiny softshell turtles, and bullfrogs for food.

Rattlesnakes

If possible, avoid contact with all poisonous snakes. A sport fishing license is not required for any resident to take any rattlesnake (genus *Crotalus* or *Sistrurus*). There is no closed season or restriction on methods of take for rattlesnakes.

Desert Tortoises

Desert tortoises are protected, and may not be possessed, except under authority of a special permit pursuant to Section 674, Title 14, CCR (see Appendix). The Department may issue a permit for the possession of a desert tortoise, provided the tortoise was legally acquired and possessed prior to March 7 1973. They may not be taken from the wild for any purpose.

Permits for the possession of desert tortoises are issued for the Department by a private contractor: Ms. Ginger or Mr. Gary Willfong, P.O. Box 2005, Castro Valley, CA 94546-0005; telephone: (510) 886-2946. For more information about desert tortoise permits, contact either Mr. or Ms. Willfong, or one of the Department offices listed on page 2.

APPENDIX

Relevant Fish and Game Code Sections

17. "Aquaculture" means that form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water. "Aquaculture" does not include species of ornamental marine or freshwater plants and animals not utilized for human consumption or bait purposes that are maintained in closed systems for personal, pet industry, or hobby purposes, however, these species continue to be regulated under Chapter 2 (commencing with Section 2116) of Division 3.

45. "Fish" means wild fish, mollusks, crustaceans, invertebrates, or **amphibians**, including any part, spawn, or ova thereof.

5000. It is unlawful to sell, purchase, harm, take, possess, or transport any tortoise (Gopherus) or parts thereof, or to shoot any projectile at a tortoise (Gopherus). This section does not apply to the taking of any tortoise when authorized by the department.

5001. The provisions of Section 5000 do not prohibit the possession of any tortoise (Gopherus) when the owner can demonstrate that such tortoise was legally acquired and possessed before the effective date of this section. The owner of a tortoise which may be possessed under this section shall mark or otherwise identify such tortoise to the satisfaction of the department, and shall not transfer such tortoise to any other person without prior approval of the department.

5002. The department may issue permits, subject to such terms and conditions as the commission may prescribe, authorizing the possession of any tortoise (Gopherus) or any part or product thereof by an educational or scientific institution or a public zoological garden.

5050. Fully protected reptiles and amphibians or parts thereof may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected reptile or amphibian and no such permits or licenses heretofore issued shall have any force or effect for any such purpose; except that the commission may authorize the collecting of such species for necessary scientific research. Legally imported fully protected reptiles or amphibians or parts thereof may be possessed under a permit issued by the department.

The following are fully protected reptiles and amphibians **(Note: the species listed below are also listed in Title 14, CCR, either Section 41, Protected Amphibians or Section 42, Protected Reptiles.):**

- (a) Blunt-nosed leopard lizard (*Crotaphytus wislizenii silus*)
- (b) San Francisco garter snake (*Thamnophis sirtalis tetrataenia*)

(c) Santa Cruz long-toed salamander (*Ambystoma macrodactylum* croceum)

(d) Limestone salamander (*Hydromantes brunus*)

(e) Black toad (*Bufo boreas exsul*)

5060. "Native reptiles" as used in this chapter means snakes, lizards, turtles, or any other members of the class reptilia native to California.

5061. The commission shall establish rules and regulations for the commercial take, sale, transport, export, or import of native reptiles.

5062. Notwithstanding any other provision of law, no permit shall be issued for the operation of a farm for alligators or any species of the family crocodylidae if the animals are kept for the use and sale of the meat or hides. No permit for the operation of a farm for alligators or any species of the family crocodylidae shall be renewed if the animals are kept for the use and sale of the meat or hides.

6850. As used in this article, "frog" means all species of frog.

6851. Except as otherwise provided in this code or in regulations adopted by the commission, it is unlawful to take or possess any frog for commercial purposes. This article does not apply to frogs grown pursuant to Division 12 (commencing with Section 15000).

6852. Any person who conducts a place of business where frogs are sold to the public for food, or who takes or possesses frogs for sale to, or for use by, educational or scientific institutions for scientific purposes, may possess only at the place of business any number of frogs which have been legally obtained pursuant to this code or regulations adopted by the commission.

6854. It is unlawful to take frogs by the use of firearms of any caliber or type.

6855. The department may issue a permit to take and dispose of frogs under such limitations as the commission may prescribe, when, in the judgment of the department, such frogs are polluting the water supply in any area, or otherwise constitute a nuisance.

6880. As used in this article, "frog-jumping contest" means a contest generally and popularly known as a frog-jumping contest which is open to the public and is advertised or announced in a newspaper.

6881. Frogs to be used in frog-jumping contests shall be governed by this article only. Frogs to be so used may be taken at any time and without a license or permit.

6882. If the means used for taking such frogs can, as normally used, seriously injure

the frog, it shall be conclusively presumed the taking is not for the purposes of a frog-jumping contest.

6883. Any person may possess any number of live frogs to use in frog-jumping contests, but if such a frog dies or is killed, it must be destroyed as soon as possible, and may not be eaten or otherwise used for any purpose.

6884. A frog which is not kept in a manner which is reasonable to preserve its life is not within the coverage of this article.

6885. The commission has no power to modify the provisions of this article by any order, rule, or regulation.

6895. "Native amphibians" as used in this article means salamanders, toads, or any other member of the class amphibia native to California.

6895. "Native amphibians" as used in this article means salamanders, toads, or any other member of the class amphibia native to California.

6896. Except as otherwise provided in this chapter, the commission shall establish rules for the commercial take, sale, transport, export, or import of native amphibians.

7149.3. Notwithstanding Section 7149 (the code section requiring a fishing license), a sport fishing license is not required for any resident to take any rattlesnake (genus *Crotalus* or *Sistrurus*).

Relevant Sections of Title 14, California Code of Regulations

1.24. Bullfrog (definition): Includes only *Rana catesbeiana*.

1.80. Take (definition): Hunt, pursue, catch, capture or kill fish, amphibians, reptiles, mollusks, crustaceans or invertebrates, or attempting to do so.

4.00. Bait-General.

Legally acquired and possessed invertebrates, mollusks, crustaceans, amphibians (see Chapter 5 for protected amphibians), fish eggs and treated and processed foods may be used for bait (this supersedes Section 5504 of the Fish and Game Code), except:

- (a) See Section 5.35 for restrictions on crayfish; (b) See Section 7.50(b)(74) for restriction on bait collecting on Hat Creek;
- (c) No trout may be maintained or possessed in a live condition in any container on or attached to any boat;
- (d) Except for restrictions listed under special regulations, dead ocean fish may be used as bait statewide. This section supersedes the provisions of sections 4.10, 4.15, 4.20, 4.25 and 4.30; and
- (e) No salamander may be used as bait.

4.05. Bait Fish Capture Methods.

- (a) Approved bait fish may be taken only by hand, with a dip net, or with traps not over three feet in greatest dimension. Such bait fish may not be purchased, bartered, sold, transferred or traded; or transported alive from the location where taken. Any other species taken shall be returned to the water immediately. Traps need not be closely attended. Dip net use: A dip net must be hand held, and the motion of a dip net shall be caused only by the physical effort of the operator. A dip net may not be moved through the water by any mechanical force or motorized device.
- (b) Within the area bounded by Highway 111 on the north and east and Highway 86 on the west and south, approved bait fish may be taken only with dip nets with diagonal mesh size one inch and greater, or by traps in water greater than four feet in depth. Traps may not exceed three feet in greatest dimension. Approved bait fish may not be taken by hand within this area.

5.05. Bullfrogs (sport fishing regulations).

- (a) Open season:
All year, except for any closures listed under special regulations.
- (b) Limit: No limit.
- (c) Methods of take: Bullfrogs may be taken only by lights, spears, gigs, grabs, paddles, hook and line, dip net, bow and arrow fishing, tackle or hand. See Chapter 5 for other frogging regulations.
- (d) Minimum size: No size limit.

40. General Provisions Relating to Native Reptiles and Amphibians.

- (a) Prohibition on Take, Possession, Purchase, Propagation, Sale, Import, or

Export. It is unlawful to take, possess, purchase, propagate, sell, transport, import or export any native reptile or amphibian, or part thereof, except as provided in this chapter and in Chapter 2 of this subdivision relating to sportfishing and frogging.

(b) Except for dried or processed reptile skins, it is unlawful to display, in any place of business where pets or other animals are sold, native reptiles or amphibians which cannot lawfully be sold.

(c) Progeny resulting from pregnant native reptiles or amphibians collected from the wild must be transferred to another person or to a scientific or educational institution within 45 days of birth or hatching. Persons receiving such progeny shall comply with the bag and possession limits specified in sections 41.5 and 42.5.

(d) Reptiles or amphibians which have been in captivity, including wild-caught and captively-bred individuals or offspring, shall not be released into the wild.

(e) Biological Supply Houses and Exempt Organizations.

(1) Biological Supply Houses. The department may issue permits to owners of biological supply houses to sell native reptiles and amphibians to scientific or educational institutions, pursuant to Section 651 of these regulations.

(2) Organizations and Schools Exempt from Permit. Institutions or organizations engaged in bona fide scientific study of native wildlife, whose specimens are readily available for use or viewing by the public at large on a regular basis, and government accredited schools that are open to the public may possess, accept donations of, or exchange, purchase or sell between organizations, native reptiles and amphibians without a permit.

41. Protected Amphibians.

Except under special permit from the department issued pursuant to sections 650 and 670.7 of these regulations, or Section 2081 of the Fish and Game Code, none of the following amphibians may be taken or possessed at any time:

- (a) Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*).
- (b) Siskiyou mountain salamander (*Plethodon stormi*).
- (c) Desert slender salamander (*Batrachoseps aridus*).
- (d) Kern Canyon slender salamander (*Batrachoseps simatus*).
- (e) Tehachapi slender salamander (*Batrachoseps stebbinsi*).
- (f) Limestone salamander (*Hydromantes brunus*).
- (g) Shasta salamander (*Hydromantes shastae*).
- (h) Black toad (*Bufo exsul*).
- (i) Red-legged frog (*Rana aurora*).
- (j) Southwestern toad (*Bufo microscaphus*).
- (k) Mt. Lyell salamander (*Hydromantes platycephalus*).
- (l) Inyo Mountains salamander (*Batrachoseps campi*).
- (m) California tiger salamander (*Ambystoma californiense*).
- (n) Olympic salamander (*Rhyacotriton olympicus*).
- (o) Del Norte salamander (*Plethodon elongatus*).
- (p) Colorado River toad (*Bufo alvarius*).
- (q) Yosemite toad (*Bufo canorus*).
- (r) Foothill yellow-legged frog (*Rana boylei*).

- (s) Mountain yellow-legged frog (*Rana muscosa*).
- (t) Cascade frog (*Rana cascade*).
- (u) Spotted frog (*Rana pretiosa*).
- (v) Lowland leopard frog (*Rana yavapaiensis*).
- (w) Tailed frog (*Ascaphus truei*).
- (x) Western spadefoot (*Scaphiopus hammondi*).

41.5. Amphibians Except Protected Amphibians.

Native amphibians may be taken under the authority of a sportfishing license under the following conditions:

- (a) Open season: All year.
- (b) Limit: The bag and possession limit on native amphibian species, in the aggregate of all subspecies, not listed in Section 41 is four, except as provided in Section 43.
- (c) Hours: Amphibians may be taken at any time of day or night.
- (d) Methods of take: Amphibians may be taken only by hand, hand-held dip net or hook and line, except bullfrogs may be taken as authorized in Section 5.05.
- (e) Special closures:
 - (1) No amphibians may be taken from ecological reserves designated by the commission in Section 630 or from State parks, or national parks or monuments.
 - (2) No slender salamanders (*Batrachoseps spp.*) may be taken from the Santa Rosa Mountains, Riverside County.
 - (3) No salamanders of the genera *Batrachoseps* or *Hydromantes* may be taken in Inyo and Mono counties.

41.7. Commercial Take and Use of Frogs for Human Consumption.

No person shall for commercial purposes take, possess, sell, transport or export frogs for human consumption. This section shall not apply to frogs raised by registered aquaculturists or frogs imported into this state. Any person possessing frogs for human consumption, whether imported or purchased from a registered aquaculturist, shall maintain and keep receipts, waybills, or bills of lading dealing with the importation, purchase, or sale of frogs for a period of one year from the date of receipt of the frogs, and shall exhibit these on demand to any official of the department.

42. Protected Reptiles.

Except under special permit from the department issued pursuant to sections 650 and 670.5 of these regulations, or Section 2081 of the Fish and Game Code, none of the following reptiles may be taken or possessed at any time.

- (a) Blunt-nosed leopard lizard (*Gambelia sila*).
- (b) Banded Gila monster (*Heloderma suspectum cinctum*).
- (c) Southern rubber boa (*Charina bottae umbratica*).
- (d) Alameda whipsnake (*Masticophis lateralis euryxanthus*).
- (e) San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).
- (f) Giant garter snake (*Thamnophis gigas*).
- (g) Desert tortoise (*Gopherus agassizi*).

- (h) Panamint alligator lizard (*Gerrhonotus panamintinus*).
- (i) Sonora mud turtle (*Kinosternon sonoriense*).
- (j) Island night lizard (*Xantusia riversiana*).
- (k) Flat-tailed horned lizard (*Phrynosoma mcallii*).
- (l) San Diego mountain kingsnake (*Lampropeltis zonata pulchra*).
- (m) Coachella Valley fringe-toed lizard (*Uma inornata*).
- (n) Switak's barefoot gecko (*Coleonyx switaki*). (listed as the barefoot banded gecko in Section 670.5)
- (o) Leaf-toed gecko (*Phyllodactylus xanti*).
- (p) Granite night lizard (*Xantusia henshawi*).
- (q) Orange-throated whiptail (*Cnemidophorus hyperythrus*).
- (r) Black legless lizard (*Anniella pulchra nigra*).
- (s) Coast horned lizard (*Phrynosoma coronatum*).
- (t) Western pond turtle (*Clemmys marmorata*).
- (u) San Joaquin coachwhip (*Masticophis flagellum ruddocki*).
- (v) Two striped garter snake (*Thamnophis hammondi*).

42.5. Reptiles Except Protected Reptiles.

Native reptiles may be taken under the authority of a sportfishing license under the following conditions:

- (a) Open season: All year.
- (b) Limit: The bag and possession limit on all native reptile species, in the aggregate of all subspecies, not listed in Section 42 is two, except as provided in Section 43 and as follows:
 - (1) Spiny softshell turtle (*Trionyx spiniferus* ssp): Five.
 - (2) California legless lizard (*Anniella pulchra* ssp): One.
 - (3) California mountain kingsnake (*Lampropeltis zonata* ssp): One.
 - (4) Western fence lizard (*Sceloporus occidentalis* ssp), sagebrush lizard (*Sceloporus graciosus* ssp), side-blotched lizard (*Uta stansburiana* ssp), desert night lizard (*Xantusia vigilis* ssp) and western skink (*Eumeces skiltonianus* ssp): 25 in the aggregate.
 - (5) California subspecies of gopher snakes (*Pituophis melanoleucus* ssp) and California common kingsnake (*Lampropeltis getulus californiae*): Four.
- (c) Hours: Reptiles may be taken at any time of day or night.
- (d) Methods of take:
 - (1) Reptiles may not be injured and may be taken only by hand, except as provided in subsections (C) (2) and (3) below, or by the following hand-operated devices:
 - (A) Lizard nooses.
 - (B) Snake tongs.
 - (C) Snake hooks.
 - (2) Rattlesnakes may be taken by any method.
 - (3) Turtles may be taken by hook and line.
 - (4) It is unlawful to use any method or means of collecting that involves breaking apart of rocks, granite flakes, logs or other shelters in or under which reptiles

may be found.

(e) Special closures:

(1) No reptiles may be taken from ecological reserves designated by the commission in Section 630 or from State parks, or national parks or monuments.

(2) No California mountain kingsnakes may be taken in San Diego and Orange counties or in Los Angeles County west of Interstate 5.

(3) No common garter snakes (*Thamnophis sirtalis* ssp.) may be taken in Ventura, Los Angeles, Orange, Riverside and San Diego counties.

43. Captive Propagation and Commercialization of Native Reptiles and Amphibians.

(a) Native Reptile and Amphibian Propagation Permit.

(1) Permit Required. Except for pet shops as provided in subsection 43(e), every person, who, for commercial purposes, sells, possesses, transports, imports, exports or propagates native reptiles or amphibians pursuant to subsection 43(c), or who propagates native reptiles and amphibians for noncommercial purposes pursuant to subsection 43(b), shall have a native reptile and amphibian propagation permit that has not been revoked or suspended issued to that person. The permit or a legible copy of the permit shall be in the immediate possession of the permittee while native reptiles or amphibians are being displayed to the public, taken, transported, or sold. The permit or a legible copy of the permit shall be kept where native reptiles or amphibians are maintained. No permit is required for the purchase of subspecies of native reptiles authorized pursuant to subsection 43(c).

(2) Application. Application for a permit shall be made on Native Reptile and Amphibian Captive Propagation Permit Application which is incorporated by reference herein. Application forms are available from the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, California 95816 Telephone (916) 227-2244. The application form shall be completed in its entirety, including information on the species and/or subspecies proposed for propagation, the location of the rearing facility and other related information.

(3) Term of Permit. Permits issued under the provisions of this section shall be valid from January 1 through December 31 or, if issued after the beginning of such term for the remainder thereof. Permits that expire between the effective date of these regulations and December 31, 1996, shall be automatically extended through December 31, 1996.

(4) Denial. The department may deny a permit to any person who fails to comply with the provisions of a permit or any regulations pertaining to native reptiles or amphibians. Any person denied a permit may request a hearing before the commission to show cause why his/her permit should be issued.

(5) Revocation. The commission, after proper notice and providing for an opportunity to be heard, may revoke or suspend a permit for a violation of the Fish and Game Code, or the Title 14, CCR, or any federal law or regulation pertaining to reptiles or amphibians.

(6) Fees. See Section 699 for permit fees.

(7) Albino Native Reptiles and Amphibians. Albino reptiles and amphibians are

defined as individual native reptiles and amphibians lacking normal body pigment and having red or pink eyes. No permit is required for the possession, propagation, importation, exportation, transportation, purchase or sale of captive-bred native albino reptiles or amphibians. The provisions of sections 41.5 and 42.5 apply to the taking and possession of albino native reptiles and amphibians from the wild.

(b) Non-commercial Propagation. The department may authorize the possession and propagation of no more than three species and no more than 30 individuals in the aggregate including progeny under a native reptile and amphibian propagation permit. Within the overall limit of 30 individuals, the department may authorize no more than four of any one species to be taken from the wild. Individuals may be taken only by the methods authorized by sections 41.5 and 42.5. Native reptiles and amphibians possessed pursuant to this subsection may not be purchased or sold.

(c) Propagation and Possession for Commercial Purposes. Native reptiles may not be sold, possessed, transported, imported, exported or propagated for commercial purposes, except as provided in Section 40(e) and except as follows:

(1) Subspecies Authorized. Only the following subspecies may be propagated, imported, exported, or possessed for commercial purposes, or purchased or sold pursuant to the provisions of this section:

(A) California common kingsnake (*Lampropeltis getulus californiae*);

(B) California subspecies of the gopher snake (*Pituophis melanoleucus*): Great Basin gopher snake (*Pituophis melanoleucus deserticola*), Pacific gopher snake (*Pituophis melanoleucus catenifer*), San Diego gopher snake (*Pituophis melanoleucus annectens*), and Sonora gopher snake (*Pituophis melanoleucus affinis*);

(C) California subspecies of the rosy boa (*Lichanura trivirgata*): Coastal rosy boa (*Lichanura trivirgata roseofusca*) and Desert rosy boa (*Lichanura trivirgata gracia*).

(2) Bill of Sale. All animals sold pursuant to these regulations must be accompanied by a numbered bill of sale which shall contain the name and permit number of the permittee, the complete scientific name of each native reptile sold and the name and address of the buyer. A copy of the bill of sale shall be retained by the buyer.

(d) Limits. Except as otherwise authorized, no person shall take or possess native reptiles and amphibians taken from the wild in excess of the bag and possession limits specified in sections 41.5 and 42.5. There are no possession limits for captive-bred native reptiles and amphibians authorized by subsection 43(c) for persons possessing a native reptile and amphibian propagation permit or for which the person has a bill of sale as required in subsection 43(c)(2).

(e) Pet Shops.

(1) Defined. A "pet shop" means a permanent place of business, licensed by a city or county, that is open to the public and maintains normal business hours, where pet animals are kept for retail sale. An "owner or operator" means the person who owns or is in charge of the pet shop.

(2) Exemption. Pet shop owners or operators or their employees or agents, are not required to obtain a native reptile and amphibian propagation permit to purchase, transport directly from the point of purchase to the pet shop, possess or resell native reptiles and amphibians purchased from a permittee pursuant to subsection 43(c). This

exemption applies only to native reptiles and amphibians sold by the pet shop from the premises of the pet shop.

(3) Records of Purchases. The owner or operator of a pet shop shall retain the original bill of sale at the pet shop for each native reptile and amphibian acquired while the animal is at the pet shop and for two years thereafter. The bill of sale shall contain the name and permit number of the native reptile and amphibian permittee from which the animals were purchased or acquired, the date acquired and the scientific name and number of each subspecies of animals acquired.

(4) Records of Sales. Each native reptile and amphibian sold by pet shops shall be accompanied by a numbered bill of sale which shall contain the name and address of the pet shop, the date sold and the scientific name and number of each subspecies sold. A copy of the bill of sale shall be retained at the pet shop for two years from the date of sale.

(5) Effect of Violation. No native reptiles or amphibians shall be sold from any pet shop whose owner or operator, or any employee or agent selling native reptiles or amphibians from the pet shop, has been convicted of a violation pertaining to native reptiles or amphibians within the previous three years.

(f) Humane Care and Treatment. Permittees shall comply with the following provisions:

(1) Enclosures. The perimeter of the enclosure for snakes 33 inches or less shall be 1.5 times the length of the snake. The perimeter of the enclosure for snakes more than 33 inches in length shall be 1.25 times the length of the snake. The perimeter shall be measured on the inside of the top edge of the enclosure. Snakes may be kept in smaller cages or containers for 31 days from the date of birth or hatching and while being transported or displayed at trade shows. All enclosures shall be adequately ventilated. The substrate shall facilitate the ability to maintain a clean and healthy environment for each animal.

(2) Food. Food shall be wholesome, palatable and free from contamination and shall be supplied in sufficient quantity and nutritive value to maintain the animal in good health.

(3) Water. Potable water must be accessible to the animals at all times or provided as often as necessary for the health and comfort of the animal. All water receptacles shall be clean and sanitary.

(4) Cleaning of enclosures. Excrement shall be removed from enclosures as often as necessary to maintain animals in a healthy condition.

(5) Disinfection of enclosures. After an animal with an infectious or transmissible disease is removed from an enclosure, that enclosure shall be disinfected.

(6) Pest control. Programs of disease prevention and parasite control, euthanasia and adequate veterinary care shall be established and maintained by the permittee.

(7) Observation. Animals shall be observed at least twice a week by the permittee or once a week if the animals are in hibernation. Sick, diseased, stressed, or injured animals shall be provided with veterinary-approved care or humanely destroyed.

(8) Handling. Animals shall be handled carefully so as not to cause unnecessary discomfort, behavioral stress, or physical harm to the animal.

(g) Records. Every permittee shall keep accurate accounting records for three

years in which all of the following shall be recorded:

- (1) The complete scientific name and number of all native reptiles and amphibians purchased, received, sold, delivered, taken and possessed.
- (2) The person from whom the native reptiles or amphibians were purchased or received.
- (3) The person to whom the native reptiles or amphibians were sold or delivered.
- (4) The date the native reptiles or amphibians were purchased, received, sold, delivered or taken.
- (5) The price paid or received.
- (6) The dates and numbers of eggs laid.
- (7) The dates and numbers of births or hatchlings.
- (h) Annual Report Requirement. A copy of the records required in subsection 43(g) shall be submitted to the department by December 31 of each year. No permit shall be renewed unless the records or a signed statement that no species and/or subspecies of native reptiles or amphibians were purchased, received, sold, delivered, taken or possessed during the year is submitted.
- (i) Confidentiality of Records. The records and reports filed with the Department pursuant to subsections 43(g) and (h), and the information contained therein, shall be confidential and the records shall not be public records.
- (j) Inspection. The department may enter the premises of any permittee where reptiles or amphibians are maintained, or reasonably may be maintained, at any reasonable hour to inspect reptiles, amphibians, and enclosures and to inspect, audit or copy records and receipts required by this section. Refusal to allow an inspection may be grounds for revocation of the permit by the commission.

236. Importation of Live Aquatic Plants and Animals.

The Provisions of this section shall apply to the importation of all live aquatic plants and animals.

- (a) No person shall import into this state any prohibited species of live aquatic plant or animal listed pursuant to Section 2118 of the Fish and Game Code, or Section 671 of these regulations unless specifically authorized by the commission.
- (b) Unless specifically prohibited by these regulations, plants and animals within the following groups may be imported without an importation permit from the department:
 - (1) Mollusks and crustaceans intended to go directly into the seafood market and which will not be placed into the waters of the state nor placed in waters which are discharged to waters of the state.
 - (2) Live ornamental tropical marine or freshwater plants or animals that are not utilized for human consumption or bait purposes, are maintained in closed systems for personal, pet industry or hobby purposes, and which will not be placed in waters of the state.
 - (3) Brine shrimp.
- (c) With the exception of those importations described in Section 236(a) and (b), live aquatic plants and animals may be imported into this state only in accordance with the following terms and conditions:

(1) A standard importation permit signed by the director or his agent is required, and no shipment into the state may be made prior to the issuance of the permit authorizing the shipment or shipments. The department shall charge a fee for issuing each permit. See subsection 699(b) of these regulations for the fee for this permit. Fees charged for inspections shall be independent of the fees charged for issuing permits.

(2) With the exceptions of the live aquatic animals listed in subsection 236(c)(6), a permit is required for each lot or load, and each shipment must be accompanied by the original copy of the importation permit. Unless otherwise authorized, the person who is to receive any shipments of aquatic plants and animals shall apply to the department for this importation permit.

(3) Application for a standard importation permit shall be made on a form (Application for Standard Importation Permit, FG 789 (2/91), which is incorporated by reference herein) supplied by the department, as directed in Section 235(d) and shall reach the department's headquarters office at least 10 working days in advance of the probable arrival date of the shipment. A copy of the permit authorized by the director or his agent must accompany each load. If a change in date of shipment becomes necessary after a permit has been issued, the permittee shall notify the Aquaculture Development Section at least 5 days before the new date of shipment. Under special circumstances, the department may waive this 5-day notice requirement.

(4) All live aquatic plants and animals imported into California may be inspected by the department, either at the place of entry into the state or at other locations suitable to the department. The person importing the aquatic plants or animals may be required to provide facilities for inspecting and sorting them, and may be required to pay inspection costs, including salary and travel expenses of the inspector.

(5) Any lot or load of aquatic plants and animals found by the inspector to be diseased, parasitized or to contain species not authorized by the importation permit must be immediately destroyed or transported out of California within a period of time specified by the department. In such cases, the importation permit is automatically revoked.

(6) In lieu of the permits specified in subsection 236(c)(1), long-term permits for the following aquatic animals may be issued by the department for periods of up to one year. Application shall be made on a form (Application for Long-term Permit to Import Animals into California, FG 786 (2/91), which is incorporated by reference herein) supplied by the department. The department shall charge a fee for issuing each permit. See subsection 699(b) of these regulations for the fee for this permit.

(A) Oyster, oyster larvae and oyster seed.

(B) Ghost shrimps (*Callinassa* Spp).

(C) Mud shrimps (*Upogebia* Spp).

(D) Longjaw mudsuckers (*Gillichthys mirabilis*).

(E) Red swamp crayfish (*Procambarus clarkii*).

(F) *Orconectes virilis*.

(G) Marine Annelid worms (Phylum Annelida).

(H) Sacramento blackfish (*Orthodon microlepidotus*).

(I) Other species under conditions which the department determines represent no significant risk to the fish and wildlife resources of the state.

(7) Importation of Salmonid Eggs. Applications to import eggs of fishes of the family

salmonidae (trout, salmon and char) shall be accompanied by a health certificate signed by a person competent in the diagnosis of fish diseases stating that the hatchery or other sources of the eggs to be imported and the eggs themselves are free of the following diseases: infectious pancreatic necrosis (IPN); bacterial kidney disease (BKD); infectious hematopoietic necrosis (IHN); and viral hemorrhagic septicemia (Egtved). In questionable cases, the director of the department shall determine whether or not the person making the certification is technically qualified to do so.

(8) Only those aquatic plants and animals lawfully obtained in another state or country may be imported.

651. Commercial Take of Native Reptiles and Amphibians for Scientific or Educational Institutions.

(a) Native reptiles and amphibians may be sold to scientific or educational institutions only by owners of biological supply houses who have been issued a permit by the department for such purposes.

(1) Permits shall be issued on an annual basis, commencing April 1 of each year, and expiring on March 31 of the following year, or for the unexpired portion of any permit year commencing April 1.

(2) To defray costs incurred in the administration of these regulations, a fee shall be paid to the department by each applicant upon the filing of an application for a permit.

(3) Applications for a permit to sell native reptiles and amphibians to scientific or educational institutions shall be submitted on forms provided by the department.

Applications shall be accompanied by a copy of applicable city or county business permits, and shall include a list of employees or agents authorized by the supply house owner to collect native reptiles or amphibians for the supply house, pursuant to these regulations.

(b) Field Collecting Permit. Native reptiles and amphibians may be taken for sale to scientific or educational institutions only by owners of biological supply houses who have been issued a permit by the department pursuant to subsection (a) above, and by authorized employees or agents of such biological supply houses, only under authority of a field collecting permit issued by the department.

(1) The department may issue a field collecting permit to an owner of a biological supply house upon receipt by the department of the original copy of a written request for purchase from a faculty or staff member of a scientific or educational institution, accompanied by a statement from the supply house owner indicating (A) the name of the owner, authorized employees, or agents who will collect the specimens requested; (B) the species and number of each species the owner or each employee or agent will collect; and (C) the estimated beginning and ending dates of such collecting.

(2) The field collecting permit shall indicate the names of those authorized to collect the specimens requested by the scientific or educational institution.

(3) The field collecting permit shall indicate the maximum number of each species requested by the scientific or educational institution that the supply house is authorized to collect and possess.

(4) The field collecting permit shall indicate the inclusive dates during which collecting of the specimens requested by the scientific or educational institution is authorized, and

the date by which such specimens shall be shipped.

(5) Specimens collected pursuant to a field collecting permit may be held only on the premises of a biological supply house following expiration of the authorized collecting period, but shall not be held on the premises of the supply house later than the authorized shipping deadline.

(c) Each owner, employee, or agent of a biological supply house collecting under authority of this section, shall have in his possession, in addition to his own copy of a field collecting permit, a copy of the permit issued to the biological supply house pursuant to Section 651(a) of these regulations, and, if amphibians are to be collected, a valid commercial fishing license.

(d) Each owner, employee, or agent of a biological supply house collecting under authority of a field collecting permit shall collect only those species and numbers authorized by the field collecting permit. Any species possessed in the field that is not authorized by the field collecting permit shall be considered to have been collected for commercial purposes and shall be a violation of these regulations.

(e) Delivery.

(1) All deliveries or shipments of reptiles or amphibians taken under authority of this section shall be accompanied by the original copy of the field collecting permit issued to the supply house owner. Shipments via the U.S. Postal Service or private carrier shall have this document attached to the outside of the shipping container, which shall be labeled: "Live Reptiles/Amphibians--Handle With Care."

(2) Possession by the scientific or educational institution of the original copy of the field collecting permit, which accompanies the shipment or delivery of the reptiles or amphibians taken pursuant to this section, shall constitute authority for the scientific or educational institution to possess the specimens purchased pursuant to this section.

(f) Methods of Take.

(1) Amphibians shall be taken only by hand or by a dip net.

(2) Reptiles shall be taken only by hand or by the following hand-operated devices: (A) Lizard nooses, (B) Snake tongs, (C) Snake hooks.

(3) It is unlawful to use crowbars, tire irons, jackhammers, winches, explosive devices, or any other method or means of collecting that involves removal or breaking apart of rocks, granite flakes, or other shelters in or about which reptiles or amphibians may be found.

(4) It is unlawful to take reptiles or amphibians by means of pit-traps or can-traps.

(g) Closures.

(1) No reptiles or amphibians may be taken from within the boundaries of State Parks or National Parks or Monuments, including public roadways therein.

(2) No reptiles or amphibians may be taken from within the boundaries of ecological reserves designated by the Commission, including public roadways therein.

(3) No garter snakes (*Thamnophis* sp.) may be taken in San Mateo County.

(h) The supply house owner shall be responsible for compliance by its employees or agents with these regulations. The department may refuse to authorize owners, employees, or agents of biological supply houses to collect or sell native reptiles or amphibians upon conviction of a violation of these regulations by a court of competent jurisdiction.

(i) Any permit issued pursuant to these regulations may be cancelled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of these regulations by a court of competent jurisdiction.

658. Commercial Take of Bullfrogs (*Rana Catesbeiana*) for Sale to Scientific or Educational Institutions.

(a) Permit Required of Supplier. Permits shall be issued only to qualified scientific supply houses which sell bullfrogs to bona fide scientific or educational institutions. Such supply houses shall be responsible for compliance by its employees with these regulations. The commission shall approve the qualifications of applicants under this section, and the department shall issue the permit following approval by the commission. See subsection 699(b) of these regulations for the fee for this permit.

(b) Market Order Issued by Supplier. A qualified scientific supply house shall issue a market order to each employee before that employee collects bullfrogs. Each market order shall specify the exact number of bullfrogs to be collected, the collecting locality, and the dates, not to exceed seven (7) consecutive days, required for the employee to fill that order.

(c) Licenses and Permits Required of Employees. Each employee who collects bullfrogs for a qualified scientific supply house shall have a commercial fishing license and a scientific collecting permit issued by the department. Each boat used for this purpose shall be registered as a commercial fishing vessel.

(d) Market Order in Possession of Employees. Each employee shall have a market order in his possession when bullfrogs are being collected. No bullfrogs in excess of the numbers specified on the market order may be taken or possessed by the employee of a qualified scientific supply house.

(e) Commercial Fishing Reports Required. The commercial fishing provisions of the Fish and Game Code shall apply to the take of bullfrogs.

(f) Closed Areas. No bullfrogs may be taken for sale north of Interstate 80 in the Valley Sportfishing District described in section 12.00, title 14, California Administrative Code.

(g) Open Areas and Seasons. Bullfrogs may be taken for sale for scientific or educational purposes only in the following sportfishing districts or parts thereof, and only during the specified dates, except as provided in subsection (h):

(1) Southern District as described in section 6.00, title 14, CAC-August 1 through November 30.

(2) Colorado River District as described in section 7.00, title 14, CAC-August 1 through November 30.

(3) South of Interstate 80 in the Valley District as described in section 12.00, title 14, CAC, and in the remainder of the state-May 1 through November 30.

(h) The department may issue permits to owners of biological supply houses to collect bullfrogs during the closed season, but only for sale to a bona fide scientific or educational institution as determined by the department. The supply house owner shall submit a written request to the department for the permit. An original letter, under the scientific or educational institution's letterhead and from a staff or faculty member

requesting the purchase of a stated number of bullfrogs, shall accompany the request.

(i) Restricted Sale. Except for bullfrogs sold, leased, or rented for use in frog jumping contests as defined in Fish and Game Code section 6880, bullfrogs taken under authority of a permit issued pursuant to this section may be sold only to bona fide scientific or educational institutions and may be used only for scientific or educational purposes, and may not be sold, purchased, or traded for any other use.

(j) Delivery of Bullfrogs. A licensed employee shall deliver or ship all captured bullfrogs to the premises of the scientific supply house.

(k) Bullfrog Capture Methods. Bullfrogs may be captured only by hand. No spears, gigs, hooks, or other devices which might injure bullfrogs may be used.

(l) Application Requirements. Permit applications shall be submitted on forms furnished by the department. They may be filed with the department at any time. Application for renewal of a permit for the following calendar year may be filed concurrently with the annual report in December.

(m) Notification of Warden. Before collecting bullfrogs, the supplier shall notify a warden in the area where the employee wishes to collect. Such notification may be given by letter, telephone, or personal contact and shall include the canals and exact location on each of entry and departure, the dates of collection, and approximate length of time during which collecting is to be done. The employee shall carry his commercial fishing license, scientific collecting permit and market order at all times when collecting. These documents and specimens shall be shown upon demand to any person authorized by the department to enforce the provisions of the Fish and Game Code or regulation made pursuant thereto.

(n) Cancellation and Suspension of Permits. Any permit may be cancelled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of these regulations by a court of competent jurisdiction.

671. Importation, Transportation and Possession of Wild Animals.

(a) Species listed in subsection (c) of this Section are prohibited and it shall be unlawful to import, transport or possess these species alive except under permit issued by the Department of Fish and Game. Permits for importation, transportation or possession of these species shall be refused by the department, except that permits may be granted as specified herein and for purposes designated in Section 671.1 subject to the conditions and restrictions contained in sections 671.1, 671.2, 671.3, 671.4, 671.5, 671.6, and 671.7 and such other conditions as may be designated by the department. Cities and counties may prohibit possession or require a permit for species not requiring a state permit.

(b) In designating these prohibited species, the commission has determined that they are not normally domesticated in this state and recognizes two specific classes of prohibited wild animals. Mammals listed to prevent the depletion of wild populations and to provide for animal welfare are termed "welfare animals", and are designated by the letter "W". Those species listed because they pose a threat to native wildlife, the agriculture interests of the state or to public health or safety are termed "detrimental animals" and are designated by the letter "D". Animals may be added to or deleted from

this list pursuant to the provisions of Section 2118(k) of the Fish and Game Code. The department shall include the list of welfare and detrimental wild animals as part of DFG MANUAL NO. 671 (2/25/92) IMPORTATION, TRANSPORTATION AND POSSESSION OF WILD ANIMALS, to be made available to all permittees and other interested individuals.

(c) No person shall release into the wilds of this state any animal which is not native to California except as provided in these regulations (See Section 671.6).

Prohibited species include: **(Note: only the amphibians and reptiles are listed here. For a complete listing, see Title 14.)**

(3) Class Amphibia-Frogs, Toads, Salamanders

(A) Family Bufonidae-Toads

Bufo marinus, *Bufo paracnemis*, *Bufo horribilis* (Giant toad or marine toad group) and all other large toads from Mexico and Central and South America-(D).

(B) Family Pipidae-Tongueless Toads

All species of Genus *Xenopus*-(D).

(7) Class Reptilia-Reptiles

(A) Order Crocodilia-Crocodiles, Caimans, Alligators and Gavials

All species-(D).

(B) Family Chelyridae-Snapping turtles

All species-(D).

(C) Family Elapidae-Cobras, Coral Snakes, Mambas, Kraits, etc.

All species-(D).

(D) Family Viperidae-Adders and Vipers

All species-(D).

(E) Family Crotalidae-Pit Vipers

All species (D), except *Crotalus viridis* (Western rattlesnake), *Crotalus atrox* (Western diamondback rattlesnake), *Crotalus ruber* (red diamondback rattlesnake), *Crotalus scutulatus* (Mojave rattlesnake), *Crotalus mitchelli* (Speckled rattlesnake) and *Crotalus cerastes* (Sidewinder) not prohibited.

(F) Family Colubridae-Colubrids

1. *Dispholidus typus* (Boomslang)-(D).

2. *Theoltornis kitlandii* (Bird or vine snake)-(D).

(G) Family Helodermatidae

1. *Heloderma suspectum suspectum* (reticulate Gila monster)-(D).

674. Permits to Possess Desert Tortoises (Gopherus).

(a) Desert tortoises may be possessed only under the authority of a permit issued by the department. The department may issue a permit for the possession of a desert tortoise provided the tortoise was legally acquired and possessed prior to March 7, 1973. The department may require an applicant for a permit to submit proof of the legal acquisition of any desert tortoise.

(b) Applications for a tortoise permit shall be submitted on forms furnished by the department and may be filed with the department at any time. Upon approval of the

application, the department shall provide a tag which shall be affixed to the desert tortoise as directed by the department.

(c) No desert tortoise may be transferred to any other person without prior department approval.

(d) Possession of a desert tortoise, regardless of subspecies, except under the authority of a department permit is in violation of this Section. Untagged desert tortoises shall be seized by the department.

C:\Documents and Settings\dlee\My Documents\Reports, Manuscripts, Leaflets\Informational Leaflets\FPB\No. 30 v.2001.wpd